



June 23, 1995

VIA FEDERAL EXPRESS

Mr. William F. Caton, Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Mail Stop Code 1170  
Washington, DC 20554

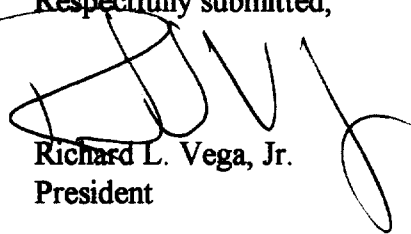
Re: Comments to WT Docket No. 95-47  
Interactive Video and Data Service

Dear Mr. Caton:

Enclosed herewith, in an original and four (4) copies, are Comments prepared by The Richard L. Vega Group in response to the Notice of Proposed Rule Making in WT Docket No. 95-47, released May 5, 1995.

Should the Commission have any questions concerning these matters, please contact the undersigned.

Respectfully submitted,



Richard L. Vega, Jr.  
President

RLVjr/lt  
Enc.

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**The Richard L. Vega Group**

Telecommunications Engineers/Consultants

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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In the Matter of )  
 )  
Amendment of Part 95 of the )  
Commission's Rules to Allow )  
Interactive Video and Data )  
Service Licensed to Provide )  
Mobile Service to Subscribers )

WT Docket No. 95-47  
RM-8476

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**Comments on Notice of Proposed Rule-Making**

The Richard L. Vega Group ("RLV"), a Telecommunications Engineering/Consulting Company, herein submits its Comments to the above-referenced Notice of Proposed Rule-Making - WT Docket No. 95-47, released May 5, 1995 ("Notice"). Richard L. Vega ("Vega"), Chairman of RLV, is also a partner in an entity which successfully bid for several IVDS Licenses. Additionally, RLV supports clients who have succeeded in acquiring IVDS markets totaling 25 million in population. Hence, RLV has standing to file these Comments.

**Vega Supports the Notice**

RLV believes it to be in the Public's interest to allow IVDS Licensees to provide a mobile service to its users. It is imperative that the Commission permit IVDS to provide its services to a consumer that has become

increasingly mobile over the past few years. In the greater context of a "wireless world", there is no necessity to restrict a new service such as IVDS to "Fixed Only" or "Mobile Only". The ability to provide mobile service to the IVDS Licensee's users in his market is merely adjunct to his primary service offering; it is the user who requires mobility.

### **Retain 20 Watt RTUs**

In this context, it is important to continue to authorize 20 watts of power for fixed RTUs. Manufacturers of IVDS equipment, as well as potential applications, should not be constrained to 100 milliwatts simply because one manufacturer's concept operates at that level. Again, it is important that the Commission not artificially constrain the infant industry with regulations that restrict the Public's use of the spectrum without attendant benefits.

### **Permit IVDS Licensees to Offer Any Type of Ancillary Service**

Similarly, there is no necessity for restrictions to be placed on the types of ancillary mobile services that IVDS Licensees would be permitted to offer. IVDS is only beginning to develop. Restrictions on its uses at this point in time can only impair the economic viability of the new service to the detriment of the Public, as well as the IVDS Licensee. Because IVDS is bandwidth-limited, it does not present a competitive threat to emerging technologies such as Cellular or PCS. The consumers are better able than the Commission to decide for themselves how to best use the spectrum to satisfy their needs.

### RTU to RTU Communications

As long as there is no threat of potential harmful interference to the other IVDS in the market or adjacent IVDS operators, this Commenter sees compelling reason to restrict the use of mobile RTU communications either via a CTS or directly if they are operating at 20 milliwatts.

### Conclusion

To foster the development of this fledgling industry, the Commission must not adopt Rules that restrain the introduction of new and exciting services. By allowing IVDS Licensees the flexibility to expand their service, the Commission will provide much needed support to the IVDS industry. Therefore, the Commission must adopt those suggestions identified herein and discard those proposals determined to be contrary to the industry's growth.

Respectfully submitted

By: 

Date: June 23, 1995

Richard L. Vega, President  
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